Mediostream, Inc. v. Acer America Corporation et al Doc. 18 Att. 1

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

MEDIOSTREAM, INC., a California Corporation,	§	
	§	
Plaintiff,	§	
	§	
v.	§	**Civil Action No. 2:07-cv-00376**
	§	
ACER AMERICA CORPORATION, APPLE COMPUTER, INC., DELL, INC., and GATEWAY, INC.,	§	**JURY TRIAL DEMANDED**
	§	
Defendants.	§	

UNOPPOSED MOTION FOR EXTENSION OF TIME
FOR DEFENDANT GATEWAY, INC. TO FILE RESPONSIVE PLEADING

TO THE HONORABLE UNITED STATES DISTRICT JUDGE:

Defendant, Gateway, Inc. ("Gateway"), files its Unopposed Motion to Extend Time to Answer or Otherwise Respond to Plaintiff's Original Complaint in the referenced civil action, and states as follows:

1. On August 28, 2007, MedioStream, Inc. ("Plaintiff") filed its Original Complaint in the referenced civil action, alleging that Gateway infringes U.S. Patent No. 7,009,655 B2.

2. Gateway was served with process on September 18, 2007, making its answer due on October 9, 2007.

3. At this time, Gateway requests that it be given an extension of thirty days to answer or otherwise respond to Plaintiff's Original Complaint, making its answer or responsive pleading due on November 8, 2007.

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4. Byron W. Cooper, counsel for Plaintiff, agreed to the thirty day extension to answer or otherwise plead.

WHEREFORE, Defendant, Gateway, Inc., prays that the Court grants its Unopposed Motion for Extension to Time to File Responsive Pleading by extending the time period for Defendant Gateway, Inc., to answer or otherwise respond to Plaintiff's Original Complaint until November 8, 2007.

DATED: October 2, 2007

___/s/ W. Bryan Farney_____________

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COUNSEL FOR DEFENDANT, GATEWAY, INC.

CERTIFICATE OF SERVICE

I hereby certify that, on October 2, 2007, the attached Unopposed Motion for Extension of Time for Defendant Gateway, Inc., to File Responsive Pleading was filed electronically with the Clerk of the United States District Court, Eastern District of Texas. The Court's ECF system sent notice of filing to all registered attorneys of record. In addition, a courtesy copy was served by e-mail on the following:

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